

There are 25 comments addressing PDC issues as of 5-7-12.

Public comment procedures:

- 12 comments in total
 - 10 comments support most of recommendation, but oppose 3 minute time limit, preferring longer
 - 1 comment explicitly supports 3 minute time limit
- 5 comments ask for longer public comment periods, several mention 5 minutes as a goal. 4 of these comments are combined in a single comment with a number of other issues.
- The last consumer comment on the issue doesn't specifically seek a longer comment period, but says that, "To free up more time for public comments, I have a simple suggestion. If certain 'long-winded' Board members would show some consideration and state their positions concisely, there would be a lot more time for the public and other Board members to share their positions"
(<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1611>).
- BP comments: "We support the committee's efforts to make a clear commitment to the time required to hear each person's comments. **We believe that five minutes would be a better time limit than three minutes**, but the precise time is not as important as the commitment to a designated amount of a time. At the same time, the board chair should be prepared to be flexible according to the circumstances. This includes allocating unused time to allow those on a waiting list to speak or to allow the board to ask further questions" (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-0367>).
- Oregon Tilth: Agrees with most of recommendation with exception of time limits and proxies. Would like to see time limit kept at 5 minutes and would like commenters to continue to be allowed to use proxies.
 - "**Limiting comments to 3 minutes does not allow enough time for commenters to thoroughly express their opinions** especially when addressing multiple topics. The longstanding limit of five minutes, or roughly 800 words, has served as a reasonable limit over the years. We do not agree with the suggestion of optionally extending comment time to five minutes at the discretion of the Chair. Successful comments are prepared in advance appropriate to the time limit and cannot be easily revised spontaneously. In addition, such a provision puts the Chair in a position to be accused of favoritism"
 - Mention proxy issue
(<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1644>).

- NOC: “NOC generally agrees with the proposed Public comment procedures, but continue to **object to the standardization of the 3-minute comment period**. We would prefer to see a standard 5-minute comment period that is adjusted downward...” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1637>).
- NOFA-VT: Supports all elements of proposal.
 - “Most particularly, we **support the Committee’s proposal to limit public comment to 3 minutes**: this will go a long way in ensuring that all who wish to speak are afforded the opportunity to do so. At the same time we wish to stress that the opportunity for Board members to ask follow-up questions and engage with commenters, for extended periods, if necessary, is of critical importance” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1660>).
- Food & Water Watch: generally agrees with recommendation, but opposes limiting comments to 3 minutes; would like to see longer time remain (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1668>)
- Cornucopia: generally supports proposal, but “We do not support the 3---minute restriction without other modifications that would enhance public participation” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1650>).

Public communications policy:

- 5 comments in total
 - All comments supportive of recommendation
- BP comments: “We support both elements of the proposed public communications policy. It is very important that the NOSB be able to express to the Secretary of Agriculture the views of the organic community that it receives... It is also important that the members of the NOSB have access to input from the organic community during all stages of their deliberations” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-0367>).
- Comment from consumer echoes BP’s view.
- NOC: “heartily endorses” both provisions of recommendation: board communication with Secretary and public communication with Board (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1637>)
- CFS: fully supports recommendation
 - “One idea for facilitating communication between NOSB Committees and the public would be to open up an ongoing public docket to receive comments” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1649>).
- Cornucopia: Fully supports all elements of recommendation

Conflict of interest policy

- 8 comments in total
 - 5 comments fully support recommendation
 - 3 comments support recommendation with exception of inclusion of “potential” and “immediate family members” in revised policy
 - 4 comments would also like to technical consultants addressed in COI policy
- BP comments: “We support the recommendation of the Policy Development Committee to clarify and strengthen the NOSB’s Conflict of Interest Policy. Since the NOSB is an advisory committee composed of representatives of various segments of the diverse organic community, it is helpful to have policies that differentiate between representing a segment of the organic community and advocating for one’s personal interest. Most importantly, transparency in the NOSB’s decision-making process requires disclosure of interests” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-0367>).
- OTA comments: inclusion of “potential” in definition makes it too broad.
 - “We are supportive of Recommendation #1 and Recommendation #3, however in order to support the full proposal, we request that the definition of ‘conflict of interest’ is revised to read as follows: *The term ‘conflict of interest’ is defined as a situation in which a Board member would derive a ‘direct financial gain’.* The proposed definition of ‘conflict of interest,’ continues to lend itself to problems of ambiguity and subjectivity. The reference to ‘**potential** direct financial interest’ in the recommendation points to a financial gain that a Board member could be uncertain as to whether or not it exists” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1638>).
- Hain Celestial: also asserts that “potential” conflict is difficult to recognize and that the inclusion of family members would be unworkable.
 - “While we appreciate the efforts of the policy committee to clarify what constitutes a conflict of interest for a Board member, we believe that some of the proposed changes are ambiguous. Defining a conflict of interest as ‘an actual *or potential* direct financial interest’ is vague and overly broad. Who determines what constitutes a potential financial interest? The current definition that does not include the word “potential” should be maintained. In addition, the proposed change to include direct financial gain of ‘an immediate family member’ is too broad” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1641>).
- NOC: fully supports recommendation
 - “We also support the recommendation of the Center for Food Safety in recommending conflict of interest statements from contractors or consultants who write Technical Reviews or perform other work for the Board” (<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1637>).

- Wolf DiMatteo: supports recommendations #1 and #3, opposes use of “potential” and family members on recommendation #2
 - “The recommended definition of ‘conflict of interest’ goes too far by including ‘actual and potential direct financial interest’ and including a Board member’s family and business or organization”
<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1661>).
- CFS: “CFS fully supports the Conflict of Interest proposed policy revision as presented by the Committee, with one recommended addition. As it stands, the proposed policy is noticeably silent on the conflict of interest among NOSB contractors and consultants who conduct technical reviews of materials for the National List. As such, CFS urges the NOSB to add a provision to require full disclosure of any conflicts of interest on the part of NOSB contractors and consultants”
<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1649>).
 - Comment includes suggested language for policy regarding contractors.
- Food & Water Watch: fully supports recommendation
 - “We also support the recommendation of the Center for Food Safety in recommending conflict of interest statements from contractors or consultants who write Technical Reviews or perform other work for the Board”
<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1668>).
- Cornucopia: “Cornucopia supports the proposal, and respectfully asks that the Board consider taking this opportunity to add conflict of interest policies for TR consultants, public commenters and committee proposals as well”
<http://www.regulations.gov/#!documentDetail;D=AMS-NOP-12-0017-1650>).